

MESSAGE NO: 7062112

MESSAGE DATE: 03/03/1997

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: FIN-Final Determination

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-845

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 02/28/1997 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION
OF BRAKE DRUMS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-845)

MESSAGE NO: 7062112

DATE: 03 03 1997

CATEGORY: ADA

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 845

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PERIOD COVERED: 02 28 1997 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY
INVESTIGATION OF BRAKE DRUMS FROM THE PEOPLE'S REPUBLIC
OF CHINA (A-570-845)

1. ON FEBRUARY 28, 1997, THE DEPARTMENT OF COMMERCE WILL
PUBLISH IN THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES
AT LESS THAN FAIR VALUE IN THE INVESTIGATION OF BRAKE DRUMS FROM
THE PEOPLE'S REPUBLIC OF CHINA (PRC).

2. SCOPE OF THE INVESTIGATION

THE PRODUCTS COVERED BY THIS INVESTIGATION ARE CERTAIN BRAKE
DRUMS.

BRAKE DRUMS ARE MADE OF GRAY CAST IRON, WHETHER FINISHED,

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SEMIFINISHED, OR UNFINISHED, RANGING IN DIAMETER FROM 8 TO 16 INCHES (20.32 TO 40.64 CENTIMETERS) AND IN WEIGHT FROM 8 TO 45 POUNDS (3.63 TO 20.41 KILOGRAMS). THE SIZE PARAMETERS (WEIGHT AND DIMENSION) OF THE BRAKE DRUMS LIMIT THEIR USE TO THE FOLLOWING TYPES OF MOTOR VEHICLES: AUTOMOBILES, ALL-TERRAIN VEHICLES, VANS AND RECREATIONAL VEHICLES UNDER "ONE TON AND A HALF," AND LIGHT TRUCKS DESIGNATED AS "ONE TON AND A HALF."

FINISHED BRAKE DRUMS ARE THOSE THAT ARE READY FOR SALE AND INSTALLATION WITHOUT ANY FURTHER OPERATIONS. SEMI-FINISHED DRUMS ARE THOSE ON WHICH THE SURFACE IS NOT ENTIRELY SMOOTH, AND HAS UNDERGONE SOME DRILLING. UNFINISHED DRUMS ARE THOSE WHICH HAVE UNDERGONE SOME GRINDING OR TURNING.

THESE BRAKE DRUMS ARE FOR MOTOR VEHICLES, AND DO NOT CONTAIN IN THE CASTING A LOGO OF AN ORIGINAL EQUIPMENT MANUFACTURER (OEM) WHICH PRODUCES VEHICLES SOLD IN THE UNITED STATES (E.G., GENERAL MOTORS, FORD, CHRYSLER, HONDA, TOYOTA, VOLVO). BRAKE DRUMS COVERED IN THIS INVESTIGATION ARE NOT CERTIFIED BY OEM PRODUCERS OF VEHICLES SOLD IN THE UNITED STATES. THE SCOPE ALSO INCLUDES COMPOSITE BRAKE DRUMS THAT ARE MADE OF GRAY CAST IRON, WHICH CONTAIN A STEEL PLATE, BUT OTHERWISE MEET THE ABOVE CRITERIA.

BRAKE DRUMS ARE CLASSIFIABLE UNDER SUBHEADING 8708.39.5010 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). ALTHOUGH THE HTSUS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-845.

4. FOR IMPORTS OF BRAKE DRUMS FROM THE PRC, EXCEPT FOR THE EXPORTER/PRODUCER COMBINATIONS LISTED BELOW, THE CUSTOMS SERVICE

SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER

OCTOBER 10, 1996.

EXPORTER/PRODUCER COMBINATIONS:

- A. CHINA NATIONAL MACHINERY IMPORT AND EXPORT CORPORATION/BEIJING XINCHANGYUAN AUTOMOBILE FITTINGS CORPORATION, LTD.(XINCHANGYUAN);
- B. QINGDAO METALS, MINERALS & MACHINERY IMPORT & EXPORT CORPORATION/CHANGZHI AUTOMOBILE PARTS FACTORY;
- C. XINCHANGYUAN/XINCHANGYUAN; AND
- D. YANTAI IMPORT & EXPORT CORPORATION/LONGKOU BOHAI MACHINERY COMPANY OR LAIZHOU MAGNETIC IRON POWDER FACTORY.

WITH RESPECT TO ABOVE COMPANIES, THE SUSPENSION OF LIQUIDATION ORDERED ON OR AFTER OCTOBER 10, 1996, WILL BE TERMINATED AND ANY CASH DEPOSIT OR BONDS WILL BE RELEASED. THE EXCLUSION OF THE ABOVE-MENTIONED COMPANIES FROM AN ANTIDUMPING DUTY ORDER (SHOULD

ONE BE ISSUED) APPLIES ONLY TO SUBJECT MERCHANDISE SOLD THROUGH THE EXPORTER/PRODUCER COMBINATIONS NOTED ABOVE. MERCHANDISE THAT

IS SOLD BY AN ABOVE-MENTIONED EXPORTER MANUFACTURED BY PRODUCERS

NOT NOTED ABOVE FOR THAT EXPORTER WILL BE SUBJECT TO THE ORDER, IF ONE IS ISSUED. ENTRIES OF SUCH MERCHANDISE WILL BE SUBJECT TO THE CHINA-WIDE RATE.

FOR IMPORTS OF BRAKE DRUMS FROM THE PRC, EXCEPT FOR THE EXPORTER/PRODUCER COMBINATIONS LISTED ABOVE, EFFECTIVE OCTOBER 10, 1996, THE CUSTOMS SERVICE SHALL REQUIRE FOR ENTRY SUMMARIES A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

THE WEIGHTED-AVERAGE DUMPING MARGINS ARE AS FOLLOWS:

WEIGHTED-AVERAGE

EXPORTER/PRODUCER

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MARGIN PERCENTAGE

CHINA NATIONAL AUTOMOBILE INDUSTRY IMPORT AND EXPORT CORPORATION, SHANDONG LAIZHOU CAPCO INDUSTRY CORPORATION (A-570-845-002) 17.20

HEBEI METALS AND MACHINERY IMPORT AND EXPORT CORPORATION (A-570-845-004) 17.20

JIUYANG ENTERPRISE CORPORATION (A-570-845-005)
17.20

LONGJING WALKING TRACTOR WORKS FOREIGN TRADE IMPORT AND EXPORT CORPORATION (A-570-845-006) 17.20

SHANXI MACHINERY AND EQUIPMENT IMPORT AND EXPORT CORPORATION (A-570-845-009) 17.20

CHINA-WIDE RATE (A-570-845-000) 86.02

5. THE DEPARTMENT FINDS THAT CRITICAL CIRCUMSTANCES DO NOT EXIST WITH RESPECT TO ENTRIES OF BRAKE DRUMS FROM THE PRC. THEREFORE, THE CUSTOMS SERVICE SHALL DISCONTINUE SUSPENSION OF LIQUIDATION OF ALL ENTRIES OF BRAKE DRUMS THAT WERE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JULY 12, 1996, THROUGH OCTOBER 9, 1996.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APROPRIATE SUPERVISORY CHANNELS, IMPORT OPERATIONS, ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT BRIAN SMITH, OFFICE OF ANTIDUMPING/COUNTERVAILING DUTY INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-1766.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ
(ACTING)

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party